

## CHAPTER 4

### MANAGEMENT OF THE CIVIL WORKS PROGRAM

4-1. General Concept. Decentralization through delegation of authority is a basic tenet of the Corps organization and structure. Managers at each level should have sufficient authority to discharge their missions. The Chief of Engineers attempts to provide every manager clearly defined policies, principles, and criteria. Compliance with this guidance is checked with a minimum number of essential personal contacts, such as Command Inspections, staff visits, Inspector General (IG) inspections, various types of audits and management reports. Authority is ordinarily delegated to the next subordinate manager if: facts upon which to formulate a prudent decision are available to the manager; adequate resources, including personnel possessing the specialties and experience to make a professionally acceptable decision are available to the manager, or can be economically made available; no restriction on delegating or discharging the authority has been imposed by law or regulation of higher authority. (ER 10-1-2)

a. Corps Missions. The mission of the U.S. Army Corps of Engineers is to provide quality, responsive engineering services to the nation. The Corps provides water resources and other civil works projects, facilities for the U.S. Army and U.S. Air Force, support for other U.S. Department of Defense agencies in times of both war and peace, and support for other Federal agencies. The U.S. Army Corps of Engineers' Civil Works mission is to contribute to national welfare by providing quality authorized water resources and emergency response programs through partnerships. Civil Works programs are: navigation; flood and storm damage reduction; environmental protection; regulation of work by others in waters of the United States, including wetlands; emergency operations; research and development; and support to other Federal agencies. Additional outputs of Corps Civil Works projects may include hydropower, water supply (municipal/industrial; irrigation), and recreation.

b. Command Goals and Objectives. The Chief of Engineers establishes a set of goals and objectives at the beginning of his tour (as commander of the Corps) and they generally remain unchanged for the duration of his tenure. However, the Chief can revise his goals as may be appropriate based on significant events impacting on the Corps missions. The goals are selected to mesh with the goals of the Army and to meet the Corps' long-term management needs. These goals and objectives are used to focus Corps-wide efforts on improving performance. Major Subordinate Commands (MSC), District Commands (DC), field operating activities (FOA), and laboratories, establish programs supporting the command goals and objectives, tailoring their supporting objectives to local situations and periodically assessing progress to assure supporting objectives are met.

c. Civil Works Program Goals and Objectives. Prior to the beginning of each fiscal year the Assistant Secretary of the Army for Civil Works (ASA(CW)) establishes a set of broad goals for the Civil Works Program. The Director of Civil Works establishes specific objectives to accomplish each goal and identifies specific actions for each objective and the office responsible to accomplish the action. This process establishes the management and direction of the Civil Works Program for each fiscal year and provides a framework of action and accountability to meet Civil Works goals.

d. Command Inspections. At the direction of the Chief, Headquarters staff elements undertake on-site inspections of MSCs, DCs, FOAs, and laboratories, to review compliance with delegated authorities. Items inspected include the assigned missions and functions of the MSC and FOA; establishment of programs and accomplishments in support of the command objectives; future planning and programming; impacts of HQUSACE policies and guidance; and special topics selected by the Chief. Reports are prepared by the inspecting team and submitted to the Chief for approval and resolution of findings. The inspection cycle is three years.

e. Weekly Significant Activities Report (WSAR). The WSAR is a very important source of information for the Chief of Engineers, and provides the Chief a quick view of the key and significant events that are happening across the U.S. Army Corps of Engineers and about which he should be informed. The intent of the report is to provide a snapshot of significant achievements, key decisions, National Performance Review initiatives, critical meetings and other such events that have taken place each week at district, division, laboratory, and Headquarters level. This report does not replace established emergency operations reporting procedures or Serious Incident Reports.

f. Corps-Wide Areas of Work Responsibility (ER 5-1-10). As an integral part of the Corps normal business practices, USACE activities have been assigned geographical or functional responsibilities to ensure customers receive the best corporate response to their needs and expectations. Each USACE activity is expected to conduct business in accordance with these responsibilities and to be open and flexible to entering into voluntary agreements with each other to jointly satisfy a customer's needs when it is in the best interest of the customer and the Corps to do so. This voluntary agreement, which is referred to as "brokering", allows for customer access to the total capabilities of the Corps regardless of geographical location. USACE activities are expected to advise customers of how the Corps normally conducts business and to encourage customers to follow these business practices. When the customer desires to deviate from normal Corps business practices, the USACE activity with whom the customer desires to work must broker the work with the affected USACE activities or obtain written approval from HQUSACE prior to executing the work.

#### 4-2. Organizational Structure.

a. Headquarters, U.S. Army Corps of Engineers (HQUSACE). Prior to 1979 the Corps of Engineers was an Army staff element. The Office of the Chief of Engineers (OCE) supervised all Corps activities, of whatever nature. The Corps became a major Army command (MACOM) in 1979. Now OCE is confined in its use to the portion of the Chief's staff that is involved in direct support of the Army staff. HQUSACE is used as the designation for the portion of the Chief's staff involved in supervision of the missions assigned to the Corps as a MACOM. HQUSACE assists the Chief of Engineers in planning, directing, and controlling the civil works activities assigned to the Chief. The organization of HQUSACE is shown in Figure 4-1. The role of Headquarters is to develop the policies, procedures, and business processes needed to make Corps programs run well and to provide oversight of the Corps programs. Headquarters also conducts policy compliance review to ensure that there is uniform application of established policies and procedures nationwide and identifies policy issues that must be resolved in the absence of established criteria,

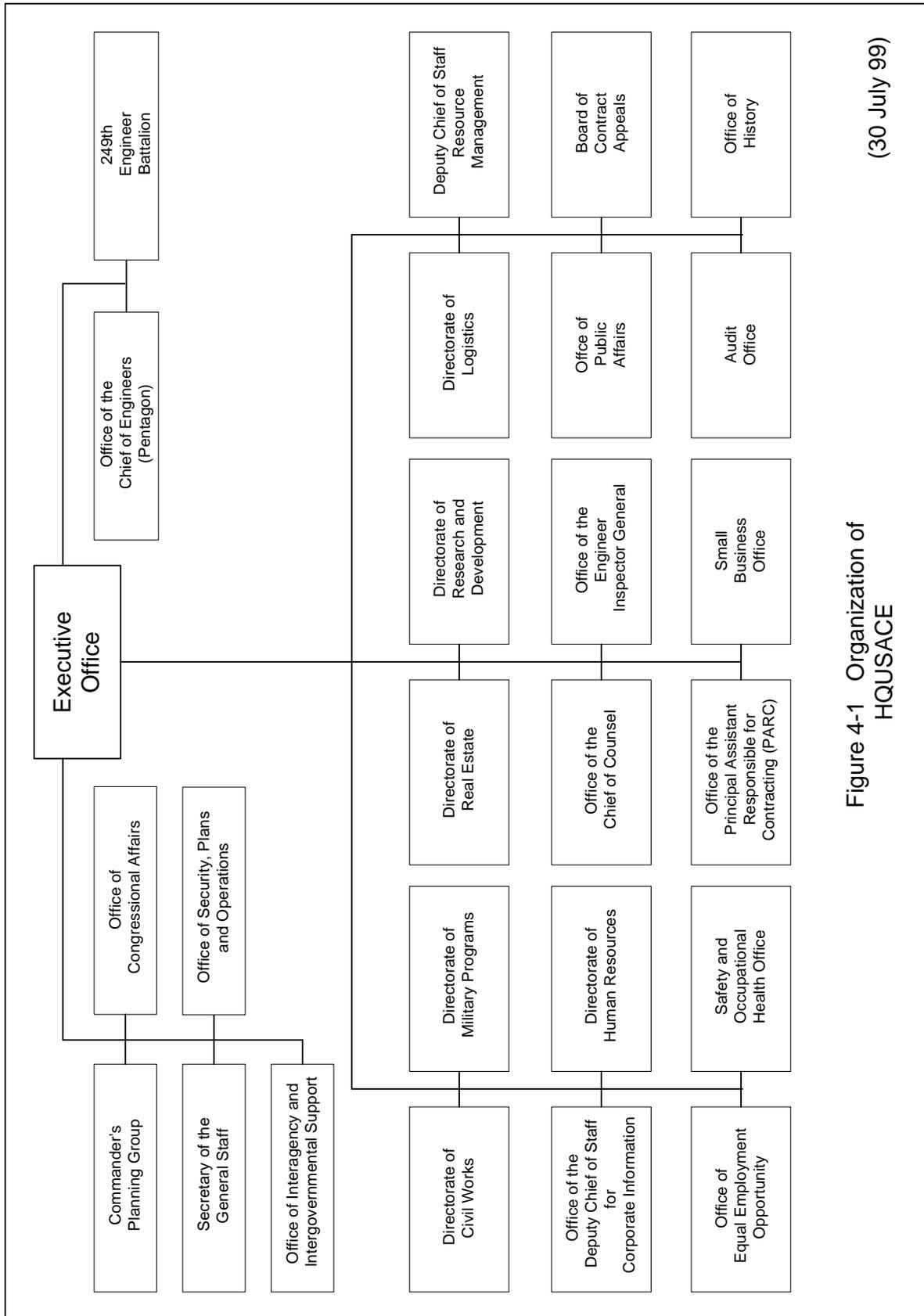
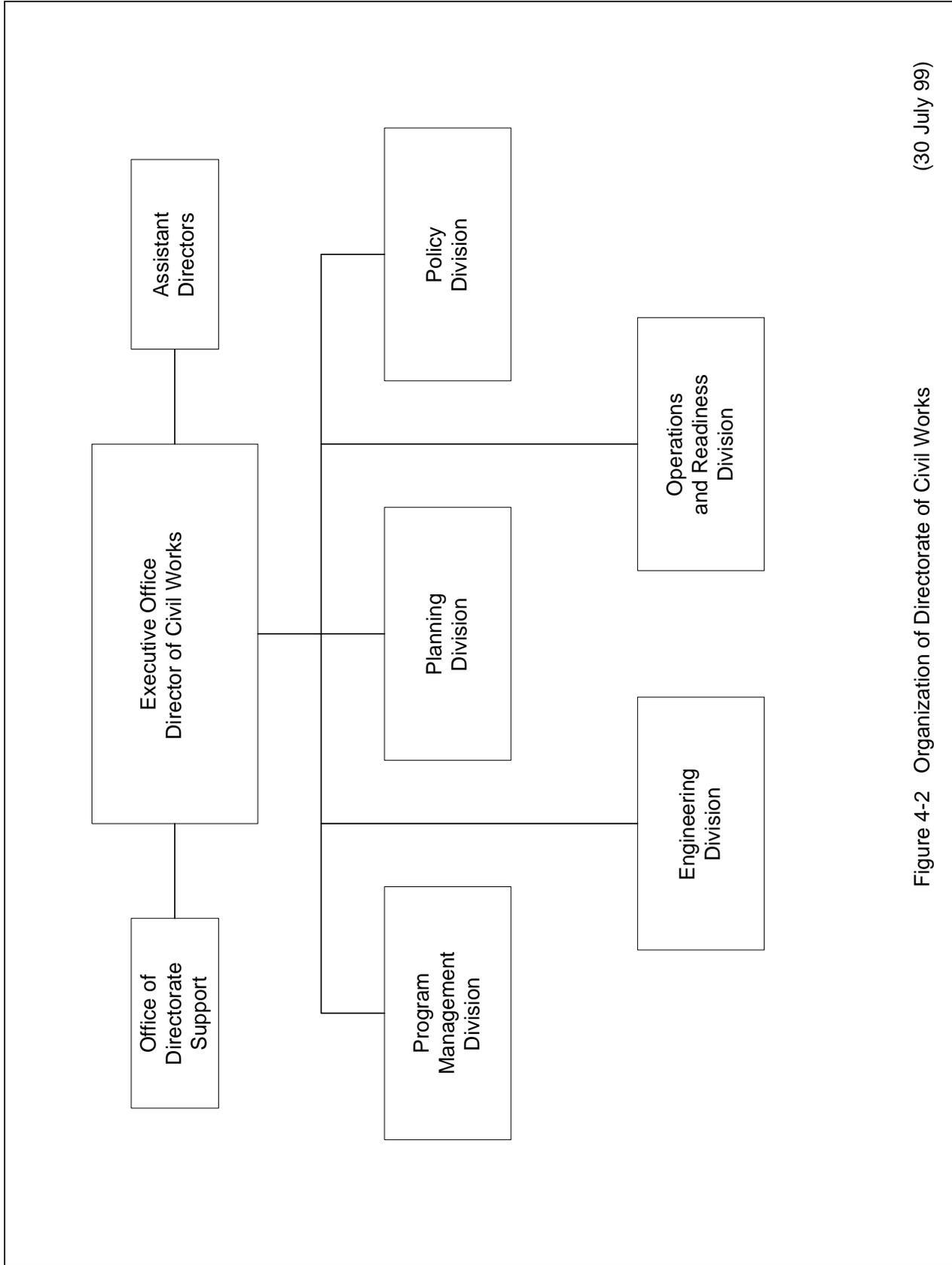


Figure 4-1 Organization of HQUSACE (30 July 99)



(30 July 99)

Figure 4-2 Organization of Directorate of Civil Works

guidance, regulations, laws, codes, or where judgment plays a substantial role. Districts execute the Corps program which includes technical review of their products and development and implementation of a Quality Control (QC) plan. Each division's primary responsibility is to oversee the execution of the program by the districts. Through appropriate Quality Assurance (QA) mechanisms, the division assures that the districts are able to plan, design, and deliver quality projects on schedule, within budget, that meet customer expectations.

b. Directorate of Civil Works. The Deputy Commanding General for Civil Works is responsible to the Commander USACE for staff supervision of policy, planning, programming, design and construction, operation, and maintenance of the Corps civil works activities. Such works include management and improvement of rivers, harbors, and waterways, for navigation, flood control, regulatory, environmental, multiple-use purposes and shore protection projects or programs. The Director is also responsible for the administration of laws to protect and preserve the navigable waters of the United States; for the conduct and direction of emergency operations pursuant to special authorities for flood control and navigation; and for the accomplishment of special projects as assigned. The organization of the Civil Works Directorate in HQUSACE is shown in Figure 4-2.

c. Major Subordinate Commands (MSC) and District Commands (DC). The bulk of the Civil Works program assigned to the Chief of Engineers is accomplished through delegation to field officers, under the staff supervision of HQUSACE.

(1) U.S. Army Engineer Divisions. These supervisory offices, also known as Major Subordinate Commands (MSC), have jurisdiction over specified geographical areas, usually based on watershed boundaries. The role of a division is to have oversight of district programs, to ensure that district programs are producing quality products on time and within budget, and to support policy compliance. Divisions no longer perform technical review. These reviews are performed at the district level. In discharging these responsibilities, division commanders:

(a) Administer the mission of the Chief of Engineers involving civil works planning, engineering, construction, operation and maintenance of facilities and related real estate matters.

(b) Command and supervise districts assigned to their control. This supervisory responsibility includes review and approval of the major plans and programs of the districts, implementation of plans and policies of the Chief of Engineers and review and control of district operations. (ER 10-1-2) MSCs evaluate and recommend changes to the district's business and quality control processes and ensure that the districts deliver products and services in innovative and cost-efficient ways. MSCs support project priorities established by districts and provide the necessary resources to meet commitments made to customers.

(2) U.S. Army Engineer Districts. These are the principal planning and project implementation offices of the Corps, also known as District Commands (DC). The role of a district is to execute projects on schedule, within budget, and in compliance with law and policy. Districts perform technical reviews. In executing their programs, the districts focus on establishing and maintaining

effective and continuous interface with customers to ensure that the customers' requirements and expectations are met or exceeded. In discharging their responsibilities, district commanders:

- (a) Prepare water and related land resources studies in response to specific congressional resolutions.
- (b) Conduct engineering design and operations and maintenance studies.
- (c) Construct civil works facilities.
- (d) Operate and maintain major water resource projects.
- (e) Administer the laws for the protection and preservation of the navigable waters of the United States.
- (f) Acquire, manage and dispose of real estate in connection with civil works functions and assigned military functions. (ER 10-1-2)

d. Boards and Commissions. Organizations which advise and support the Chief of Engineers in civil works functions include:

(1) Coastal Engineering Research Board (CERB). This advisory board provides policy guidance and reviews plans for research and development in coastal engineering and recommends priorities of research projects. (ER 10-1-16)

(2) Board of Engineers for Rivers and Harbors (BERH). In accordance with Section 223 of WRDA 1992, the BERH ceased to exist in 1993.

(3) Mississippi River Commission (MRC). The MRC's jurisdiction extends from the Mississippi River's headwaters in Minnesota to its mouth in Louisiana. The statutory mission of the MRC is to "take into consideration and to mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel and protect the banks of the Mississippi; improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the postal service and, when so prepared and matured, to submit to the Secretary of the Army a full and detailed report of these proceedings and actions and of such plans with estimates of the cost thereof for the purposes aforesaid to be by him transmitted to Congress" (33 USC 647). MRC and its work are funded separately from other Civil Works projects under "Mississippi River and Tributaries (MR&T) Appropriations Accounts." (ER 10-1-5)

(4) Chief of Engineers Environmental Advisory Board (EAB). The Environmental Advisory Board consists of six members selected by the Chief of Engineers representing a broad range of expertise and experience in environmental matters. The Board serves as advisor to the Chief of Engineers primarily for environmental policy and procedural matters. (OM 15-2-1)

(5) Board of Contract Appeals. This board is established under the Contracts Disputes Act of 1978 (Public Law 95-563) to decide disputes arising under Civil Works contracts of the Corps of Engineers. (Charter issued 6 August 1979; revised 20 January 1984)

e. Research and Development (R&D) and Field Operating Activities (FOA).

(1) Water Resources Support Center (WRSC). WRSC provides information, advice and guidance to HQUSACE, MSCs and DCs concerning water resources (including navigation) data collection, processing and monitoring, including remote sensing; performs research and development in the field of hydrologic engineering, and provides expert services to MSCs and DCs in this field; collects, compiles and distributes data and statistics on waterborne commerce and vessel movements in the United States, on U.S. commercial ports and waterway facilities, on lock characteristics and performance, and on Corps dredging activities; and, organizes, manages and performs special studies for meeting national water resources needs and objectives. The Institute for Water Resources; the Hydrologic Engineering Center, Davis, California; and the Navigation Data Center (with its Waterborne Commerce Statistics Center, New Orleans, Louisiana) are assigned to WRSC. (ER 10-1-23)

(2) U.S. Army Engineer Waterways Experiment Station (WES). WES conducts studies through the operation of a complex of laboratories in the broad fields of coastal engineering and nearshore oceanography, hydraulics, soil mechanics, concrete, engineering geology, rock mechanics, pavements, expedient construction, and environmental relationships. WES provides MSCs and DCs specialized consulting services and training in coastal engineering. WES accomplishes model studies for site-specific MSC and DC design problems. The individual laboratories are: the Information Technology Laboratory; the Hydraulics Laboratory; the Geotechnical Laboratory; the Structures Laboratory; the Environmental Laboratory; and the Coastal Engineering Research Center (CERC). (ER 10-1-8)

(3) U.S. Army Construction Engineering Research Laboratory (CERL). CERL develops methods of advancing the concepts and technology of the design, construction, operation, and maintenance of all types of Federal structures and facilities, through research, investigation, and analytical studies. (ER 10-1-26)

(4) U.S. Army Cold Regions Research and Engineering Laboratory (CRREL). As the Army Laboratory for science and technology in the cold environments of the world, CRREL conducts and coordinates research and surveillance of technology applicable to the Army's needs in those geographic areas of the world where cold presents a severe problem. It also has responsibility for the research project on Ice Engineering. (ER 10-1-25)

(5) U.S. Army Engineer Topographic Engineering Center (TEC). TEC accomplishes research and development into the topographic sciences; provides scientific and technical advisory service to meet environmental design criteria requirements of military material developers; provides environmental resource inventory requirements of military and non-military programs. (ER 10-1-45)

4-3. Other Institutions for Management of River Basin Operations. The Water Resources Council (WRC) published a report in August 1967, on "Alternative Institutional Arrangements for Managing River Basin Operations." This report describes institutional arrangements developed and used to improve basin-wide management of the Nation's water and related land resources. The report identifies eight patterns of administrative organization which can be used to integrate

management efforts: Interstate Compact; Federal Interstate Compact; River Basin Commission; Basin Inter-Agency Committees; Regional Federal-State Commissions (Appalachian Regional Commission); Intra-State Special District (Soil and Water Conservation Districts); Federal Regional Agency (Tennessee Valley Authority); and a Single Federal Administrator (Colorado River):

a. Interstate Compact. This is an agreement between two or more states whereby they obligate themselves to the terms of the compact. Such a compact must be consented to by Congress, but does not obligate the Federal Government to the terms and conditions of the compact. The Federal Government often assists, through a Federal representative, in the development of the compact and in the work of any compact-created agency. Interstate compacts can serve a wide range of functions, from the simple one-time allocation of the waters of an interstate stream to the vesting of enforcement and regulatory powers in an entity whose judgments are binding upon the member states (for example, as to water quality). A compilation of interstate compacts relating to water resources is contained in House Document 319, 90th Congress, "Documents on the Use and Control of the Waters of Interstate and International Streams".

b. Federal-Interstate Compact. The most significant difference between this agreement and the interstate compact is that the United States is a signatory party. Except as stated in the compact, the exercise of Federal powers is subjected to the terms and conditions of the compact and the authority of any compact created agency. The compact form must, as with the interstate compact, be consented to by the Congress. The Federal-Interstate compacts have been used to implement, in a single basin authority, the full range of managerial planning, construction, and operation and maintenance functions. The first of two such compacts, the Delaware River Basin Compact, is administered by the Delaware River Basin Commission. The second is the Susquehanna River Basin Compact administered by the Susquehanna River Basin Commission. In granting consent to the compacts, Congress attached reservations to prevent impairment of the future exercise of Federal power and to avoid limitations on congressional power to pass laws inconsistent with the compact.

c. River Basin Commissions (Title II). River basin commissions may be established by the President pursuant to Title II of the Water Resources Planning Act of 1965. WRC and not less than one-half of the states within which the subject basin lies must concur. Members of a commission include representatives of interested Federal agencies and the affected states. The commissions may conduct planning and coordinating activities, which may include preparing and keeping up-to-date a comprehensive plan for water and related land resources development within the basin; recommending priorities for data collection, planning, and construction of projects; and submission to WRC of recommendations for implementing the plan. They would not have authority to construct or operate projects. There currently are no Title II river basin commissions (six such commissions at one time created under Title II have been terminated).

#### 4-4. Management and Administrative Controls.

a. Guidance and Controls. The goal of HQUSACE management efforts is to assure timely completion of quality studies and projects and otherwise accomplish continuing operations, maintenance and regulatory responsibilities assigned to the Corps, as most needed to

satisfy existing public concerns and future needs. Management is founded on issuance, for the uniform observance by all internal Corps offices, of guidance on all aspects of Corps activities in the form of Engineer Regulations (ERs), Engineer Manuals (EMs), Engineer Circulars (ECs) and Engineer Technical Letters (ETLs). In special circumstances, less formal "guidance letters" [e.g., Policy Guidance Letters (PGLs)] are addressed directly to the MSCs and DCs. For dissemination of information, Engineer Pamphlets (EPs) are sometimes issued. Procurement guidance is provided in an Engineer Federal Acquisition Regulation Supplement (EFARS) which establishes uniform procedures to be followed by the Corps in connection with the making, administration and termination of contracts, and the resolution of claims and appeals. Many individual project decisions are subject to review and approval in HQUSACE prior to implementation although, based on criteria set forth in the published guidance, MSCs and DCs are empowered to make most determinations without referral. Conferences are occasionally needed to resolve questions and reach HQUSACE/MSC and DC agreement on unusual or particularly complicated problem solutions. In connection with planning, standing guidance specifically provides for Issue Resolution Conferences during the course of MSC and DC feasibility or preconstruction planning and engineering studies. Civil Works program management data is required quarterly from the MSCs and DCs under the Command Management Review (CMR). CMR requires data on various performance indicators -- both measurable "bottom line" indicators and influencing indicators which, in a project delivery cycle format, provide comprehensive program management information. For civil works, CMR includes programmatic/financial and manpower planning data; project planning (including status of reconnaissance reports, cost sharing agreements and feasibility studies), design, real estate, construction and operations data; and data on regulatory and readiness programs.

b. Program and Project Management (ER 5-1-11). The Program and Project Management Business Process (PMBP) is the corporate management approach for execution of all USACE programs and projects under business processes that are uniform throughout the command. The PMBP emphasizes the importance of project teams and the role of the project manager, whose focus is on the overall process and the members of the team, who are empowered to act on behalf of their functional organizations. It focuses attention on the end results -- execution of projects and programs, and customer satisfaction. The PMBP is applicable to all USACE activities (i.e., laboratories, field operating activities (FOAs), and centers). Each commander has the responsibility for ensuring his or her organization is aligned to support the PMBP. The essential elements of the USACE PMBP are outlined below.

(1) Program and Project Management Imperatives -- "Above the Line." These are to be followed across USACE:

- (a) Consistent project definition;
- (b) Each project has one project manager (PM);
- (c) The PM is the team leader;
- (d) The PM is the primary point of contact with the customer;
- (e) Every project will be managed with a management plan;
- (f) PMs manage project resources, data, and commitments;
- (g) The Deputy for Project Management (DPM) has programmatic oversight for all work;
- (h) All work will be managed using the project management automation information systems (AIS) and the PMBP.

(2) Program and Project Management Imperatives - "Below the Line." Authorities not detailed in ER 5-1-11 or prohibited in other regulations remain under the purview of individual commanders.

(3) Project Management. This is the component of the PMBP used by USACE for delivering individual projects to its customers. The project management business process embodies leadership, systematic and coordinated management, teamwork, partnering, effective balancing of competing demands, and primary accountability for the life-cycle (including the warranty period and, often, operation and maintenance) of a project. It reflects the USACE corporate commitment to provide customer service that is seamless, flexible, effective, efficient, and focuses on the customers' expectations, participation, and satisfaction, consistent with law and policy. The individual PM is assigned by the commander or DPM and serves as an advisor and consultant to the corporate board and each of its members. The PM is responsible and accountable for successful completion and delivery of assigned projects to customers within established costs, schedules and quality parameters. The PM can make district commitments within preassigned constraints as defined in the management plan in coordination with the functional elements. The PM is responsible for ensuring that the organization speaks with one voice by coordinating all matters relating to the project, and acting as the customer's representative within USACE to ensure requirements are conveyed, understood, and met. Each project will have a single PM regardless of how many USACE organizations are represented on the team. The PM will ensure that the direction and efforts of the team are unified, focused, and coordinated.

(4) Program Management. This is the component of the PMBP used by all USACE levels to manage a collection of similar projects, activities and services derived from assigned missions. It consists of the development, justification, management, defense and execution of programs within available resources, in accordance with applicable laws, policies, and regulations, and includes accountability and performance measurements. Under program management, the entire district's or division's programs, projects and other commitments are aggregated for oversight and direction by the organization's senior leadership. Program management takes project management to a greater level of interdependencies and broadens the corporate perspectives and responsibilities.

c. Financial Resources Management.

(1) Budget Process. The Programs Management Division of HQUSACE directs the annual development of the Civil Works budget and funding activities of studies and projects throughout the year. In districts and divisions, this function is performed by the Program and Project Management Office. Detailed information is contained in Chapter 8.

(2) Procurement of Planning Investigation Services. The Corps enters into a contract for services for planning studies upon the signature of the Contracting Officer, usually a district or division commander. When a contract for services for planning studies is prepared, the immediate responsibility for a successful contracting effort lies with the project manager who functions as the Contracting Officer's Authorized Representative. The project manager furnishes the contracting division with a proposed scope of work developed by the appropriate team members who have the requisite technical

expertise. When the request for proposals is prepared, it is advertised in the Commerce Business Daily and then generally competitively negotiated. In competitive negotiation, a list of criteria against which the proposers will be judged is announced in the solicitation. These are such items as price, management ability, previous experience in similar work, etc. The criteria may vary with the nature of the work and internal numerical weights are assigned by the evaluation board (of the Corps soliciting office). The weights to be applied are not revealed to the prospective contractors but the criteria are listed in the solicitation in order of priority. A proposed award to other than the low (price) proposal must be justified in writing, as must a sole-source procurement.

(a) Should it be considered that the requirement can only be filled by a professional engineer, the specialized method of procurement from an Architect-Engineer firm is used. This, too, is advertised and the responding firms are ranked in order of preference by a selection board of engineers. Negotiations are then carried out with the first ranked firm. If the firm is able to agree to a fair and reasonable price, award is made. If not, the negotiator moves on to the second ranked firm, and so on.

(b) The Contracting Officer's Authorized Representative has the responsibility to monitor and assure the effective performance of the contractor. As a control, he or she may initiate action to withhold partial and final payment if the contractor does not perform in accordance with the contract. He or she also prepares the contractor's performance rating if it is an Architect-Engineer contract. (EFARS Section 36, Part 6)

d. Miscellaneous Controls. The objective of the Paperwork Reduction Act of 1980, the Paperwork Reduction Reauthorization Act of 1986, and prior legislation, is to reduce the paperwork load on individuals and private industry by Federal agencies. Whenever information is to be collected from ten or more non-government employees by the use of identical forms, the Federal agency concerned must first obtain the approval of the Office of Management and Budget.